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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/519,841

01/12/2005

Frank Dietsche

263524US0PCT

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7590

04/29/2010

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

KRUER, KEVIN R

ART UNIT

PAPER NUMBER

1787

NOTIFICATION DATE

DELIVERY MODE

04/29/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/519,841	<b>Applicant(s)</b> DIETSCH ET AL.	
	<b>Examiner</b> KEVIN R. KRUER	<b>Art Unit</b> 1787	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,16 and 19-27 is/are pending in the application.
- 4a) Of the above claim(s) 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,16,19-24,26 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Election/Restrictions***

1. Claim 25 is withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

***Claim Rejections - 35 USC § 112***

2. The rejection of claims 1, 3-9, 16, 19-24 and 26 under 35 U.S.C. 112, second paragraph has been overcome by amendment.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-9, and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mack et al (US 6,500,883) in view of (a) Otaki et al (US 6,482,489), (b) Saeki et al (US 4,824,905) and (c) Downey (US 3,880,953) or Korpman (US 4,136,071)

Mack teaches a filled polyamide composition comprising fillers surface modified by treatment with an organosilane and /or organosiloxane coating agent (abstract). Said composition has a impact strength as claimed (see example 5, column 8) and is used to product goods such as electronic devices and parts for motor vehicles (col 6,

lines 25+). When used in such embodiments, said layer is attached to another layer (herein understood to read on the substrate of claim 8).

Mack does not teach the claimed multi-coat system. However, Otaki teaches a hologram laminated that reads on the claimed multi-coat system. Said hologram can be applied to high priced goods (Background of the invention) such as those made with the composition of Mack. Specifically, the hologram comprises a 1-50um thick UV curable urethane acrylate hard coat (col 5, lines 25+) and a styrene block elastomer adhesive having a thickness of 4-20um( col 52, lines 53+). Intervening the adhesive and the hardcoat may be a substrate. Said substrate is understood to read on the claimed layers of claim 2. Thus, it would have been obvious to the skilled artisan to apply the hologram to the substrate taught in Mack in order to provide an authenticating mark on said substrate. With regard to claim 26, the substrate, protective layer, adhesive, or the matrix may comprise polypropylene.

Mack also does not teach the polyamide substrate should further comprise ABS. However, Saeki teaches a polyamide composition wherein ABS has been blended therein to improve its impact resistance (col 5, lines 9+). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add ABS to the polyamide substrate of Mack in order to improve its impact resistance.

Mack does not teach the adhesive should have the claimed Tg. However, Downey and Korpman each teach pressure sensitive adhesives comprising styrene block copolymers meeting the claimed limitations. Specifically, Downey teaches a block copolymer comprising 10-50wt% styrene (col 1, lines 45+) and Korpman teaches a

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block comprising 10-35wt% styrene (col 1, lines 35+). Said composition read on the T<sub>g</sub> limitation of claim 1 when the diene is isoprene or butadiene and on the limitation of claim 21 when the diene is butadiene. Thus, it would have been obvious to utilize either of the PSAs as the styrene block copolymer PSA taught in Mack because said PSA are taught to exhibit excellent adhesive properties.

5. Claims 1, 3-9, and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onozawa et al (US 6,103,370) in view of (a) JP0518671 (Matsuoka), (b) Sakano et al (US 4,299,929) and (c) Downey (US 3,880,953) or Korpman (US 4,136,071)

Onozawa teaches a hardcoat sheet comprising a base sheet, and a coat layer which is provided on the based sheet and formed form a radiation curable urethane acrylate (abstract and col 2, lines 24+). Said layer has a thickness of 1-10um (col 3, lines 60+). The hardcoat is applied to the base sheet and an adhesive comprising styrene butadiene block copolymers having a thickness of 10-50um (col 4) is utilized to apply the laminate to a window pane (col 3, lines 63+). In use, the window pane is then attached to another layer (herein understood to read on the substrate of claim 8). The base may comprise polypropylene.

Onozawa does not teach the window pane should comprise a polymer with the claimed impact strength. However, Matsuoka teaches a window pane made of polycarbonate having a impact strength of 60kg/cm/cm or more. The examiner takes the position that said impact strength is taught with sufficient specificity to read on the claimed limitation. Thus, it would have been obvious to the skilled artisan to utilize the

window pane taught in Matsuoka as the window pane taught in Onozawa because said window pane has excellent impact resistance.

Matsuoka does not teach the polycarbonate should further comprise ABS. However, Sakano teaches it is known in the art to add ABS to polycarbonate in order to improve the composition's mechanical properties (col 1, lines 9+). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add ABS to the polycarbonate of Matsuoka in order to improve its mechanical properties and processability.

Furthermore, Onozawa does not teach the adhesive should have the claimed Tg. However, Downey and Korpman each teach pressure sensitive adhesives comprising styrene block copolymers meeting the claimed limitations. Specifically, Downey teaches a block copolymer comprising 10-50wt% styrene (col 1, lines 45+) and Korpman teaches a block comprising 10-35wt% styrene (col 1, lines 35+). Said composition read on the Tg limitation of claim 1 when the diene is isoprene or butadiene and on the limitation of claim 21 when the diene is butadiene. Thus, it would have been obvious to utilize either of the PSAs as the styrene block copolymer PSA taught in Onozawa because said PSA are taught to exhibit excellent adhesive properties.

6. Claims 16, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mack et al (US 6,500,883) in view of (a) Otaki et al (US 6,482,489), (b) Southwick (US 5,403,658) and (c) Downey (US 3,880,953) or Korpman (US 4,136,071).

Mack teaches a filled polyamide composition comprising fillers surface modified by treatment with an organosilane and /or organosiloxane coating agent (abstract). Said composition has a impact strength as claimed (see example 5, column 8) and is used to product goods such as electronic devices and parts for motor vehicles (col 6, lines 25+). When used in such embodiments, said layer is attached to another layer (herein understood to read on the substrate of claim 8).

Mack does not teach the claimed multi-coat system. However, Otaki teaches a hologram laminated that reads on the claimed multi-coat system. Said hologram can be applied to high priced goods (Background of the invention) such as those made with the composition of Mack. Specifically, the hologram comprises a 1-50um thick UV curable urethane acrylate hard coat (col 5, lines 25+) and a styrene block elastomer adhesive having a thickness of 4-20um( col 52, lines 53+). Intervening the adhesive and the hardcoat may be a substrate. Said substrate is understood to read on the claimed layers of claim 2. Thus, it would have been obvious to the skilled artisan to apply the hologram to the substrate taught in Mack in order to provide an authenticating mark on said substrate. With regard to claim 26, the substrate, protective layer, adhesive, or the matrix may comprise polypropylene.

Mack does not teach the adhesive should have the claimed Tg. However, Downey and Korpman each teach pressure sensitive adhesives comprising styrene block copolymers meeting the claimed limitations. Specifically, Downey teaches a block copolymer comprising 10-50wt% styrene (col 1, lines 45+) and Korpman teaches a block comprising 10-35wt% styrene (col 1, lines 35+). Said composition read on the Tg

limitation of claim 1 when the diene is isoprene or butadiene and on the limitation of claim 21 when the diene is butadiene. Thus, it would have been obvious to utilize either of the PSAs as the styrene block copolymer PSA taught in Mack because said PSA are taught to exhibit excellent adhesive properties.

Mack also does not teach the styrene block copolymer adhesive should further comprise an acrylate. However, Southwick teaches the addition of an acrylate block copolymer to a styrene block copolymer adhesive improves the adhesion of the styrene block copolymer adhesive (col 5, lines 60+). Thus, it would have been obvious to one of ordinary skill in the art to add an acrylate block copolymer as taught in Southwick to the adhesive layer of Mack in order to improve adhesion to polar substrates.

7. Claims 16, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onozawa et al (US 6,103,370) in view of (a) JP0518671 (Matsuoka), (b) Southwick (US 5,403,658) and (c) Downey (US 3,880,953) or Korpman (US 4,136,071)

Onozawa teaches a hardcoat sheet comprising a base sheet, and a coat layer which is provided on the based sheet and formed form a radiation curable urethane acrylate (abstract and col 2, lines 24+). Said layer has a thickness of 1-10um (col 3, lines 60+). The hardcoat is applied to the base sheet and an adhesive comprising styrene butadiene block copolymers having a thickness of 10-50um (col 4) is utilized to apply the laminate to a window pane (col 3, lines 63+). In use, the window pane is then attached to another layer (herein understood to read on the substrate of claim 8). The base may comprise polypropylene.



Onozawa does not teach the window pane should comprise a polymer with the claimed impact strength. However, Matsuoka teaches a window pane made of polycarbonate having a impact strength of 60kg/cm/cm or more. The examiner takes the position that said impact strength is taught with sufficient specificity to read on the claimed limitation. Thus, it would have been obvious to the skilled artisan to utilize the window pane taught in Matsuoka as the window pane taught in Onozawa because said window pane has excellent impact resistance.

Furthermore, Onozawa does not teach the adhesive should have the claimed Tg. However, Downey and Korpman each teach pressure sensitive adhesives comprising styrene block copolymers meeting the claimed limitations. Specifically, Downey teaches a block copolymer comprising 10-50wt% styrene (col 1, lines 45+) and Korpman teaches a block comprising 10-35wt% styrene (col 1, lines 35+). Said composition read on the Tg limitation of claim 1 when the diene is isoprene or butadiene and on the limitation of claim 21 when the diene is butadiene. Thus, it would have been obvious to utilize either of the PSAs as the styrene block copolymer PSA taught in Onozawa because said PSA are taught to exhibit excellent adhesive properties.

Onozawa also does not teach the styrene block copolymer adhesive should further comprise an acrylate. However, Southwick teaches the addition of an acrylate block copolymer to a styrene block copolymer adhesive improves the adhesion of the styrene block copolymer adhesive (col 5, lines 60+). Thus, it would have been obvious to one of ordinary skill in the art to add an acrylate block copolymer as taught in

Southwick to the adhesive layer of Onozawa in order to improve adhesion to polar substrates.

### ***Response to Arguments***

Applicant's arguments filed January 25, 2010 have been fully considered but are moot in view of the new grounds of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN R. KRUEER whose telephone number is (571)272-1510. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Callie Shosho can be reached on 571-272-1123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kevin R Kruer/  
Primary Examiner, Art Unit 1787